IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL JURISDICTION

CRIMINAL CONTEMPT PETITION NO.5 OF 2005
IN
WRIT PETITION NO.6506 OF 1995

Yogacharya Shri Anandji — Petitioner
vs.
1.Jaihind Co-op.Hsg.Society Ltd.
& ors. — Respondents

Petitioner in person.

Ms.P.H.Kantharia,APP for the State.

CORAM : R. M. LODHA &
R. S. MOHITE,JJ.

DATED : 17th March 2005

P.C.

Heard the petitioner in person.

2. Section 15 of the Contempt of Courts Act, 1971 provides for cognizance of criminal contempt in the cases other than contempt referred to in Section 14. In such matters cognizance can be taken by the High Court on its own motion or on a motion made by (a) the Advocate General or (b) any other person with the consent in writing of the Advocate General.

3. The present criminal contempt petition is not by the Advocate General. It is at the instance of a private party. The written consent of the Advocate General as required under Section 15(1)(b) is not annexed. As a

matter of fact, the petitioner who appears in person submits that the contempt petition was filed as civil contempt petition but that was later converted into criminal contempt petition and that he has not obtained any sanction from the Advocate General.

4. In our view in this criminal contempt petition, no cognizance can be taken for want of consent of the Advocate General. Dismissed accordingly.

(R.M. LODHA,J.)

(R.S. MOHITE,J.)